

CITY ATTORNEY

Department Purpose and Description

In accordance with the City Charter, the City Attorney is appointed by the City Council to act as the City's general counsel. As the City's general counsel, the City Attorney provides a full range of legal services to the City and is the chief legal advisor to the City Council, City Manager, Redevelopment Agency, City departments, and all appointed boards and commissions. While performing its duties as the City's chief legal advisor, the City Attorney's Office, among other things, manages all outside counsel, reviews and negotiates City and Redevelopment Agency agreements, proffers advice on labor and employment issues, helps draft and review legislation, litigates civil cases, and prosecutes a limited number of Municipal Code violations. To accomplish these matters, the City Attorney has a current staff of seven lawyers, four administrative support staff and one contract attorney.

The Office's responsibilities revolve around seven specialized areas of practice in which attorneys provide legal counsel as well as representation in litigation at all levels of state and federal courts and administrative agencies.

Contracts

Handles legal services at all stages of contract formulation, implementation and enforcement, including negotiation, drafting, administration and litigation. The City Attorney develops and maintains standardized City contracts and participates as counsel in complex transactions such as capital projects for multi-million dollar construction, developers agreements, and site licenses for wireless telecommunication providers.

Land Use

Handles counsel on zoning, planning, growth management, code enforcement, state environmental policy, low-income housing development, preservation of historic properties, and acquisition of public property for open space, parks, and other public facilities.

Redevelopment and Real Estate

Provides legal support to the City Council, City Manager, Redevelopment Agency and various City departments in connection with a wide range of redevelopment and real estate issues. Common issues in this area of practice include property acquisition and disposition, disposition and development agreements, public improvements, design-build agreements, franchises, affordable housing transactions, long-term energy policies, and redevelopment plan administration.

Employment/Labor

With over 1,000 City employees, including many union members, the personnel and labor issues facing the City are complex and diverse. In conjunction with the City's Human Resources Department, the City Attorney is responsible for personnel policy development and labor relations matters, including civil service and arbitration proceedings.

Municipal Law

Handles legal advice on diverse areas of local government law such as municipal finance and budgeting, taxation, legislation drafting and Municipal Code supervision, public disclosure and inter/intra-governmental relations.

Torts

Primarily engaged in litigation, defending the City in personal injury and property damage cases, which span the spectrum from minor matters to multi-million dollar lawsuits. The City Attorney works closely with the Risk Management's claim management team, which handles administrative claims against the City.

Code Enforcement

Involves enforcing the City Code provisions relating to building codes, zoning, neighborhood preservation and vehicles on private property. Violations are addressed by employing the various enforcement tools available to the City: administrative actions, civil actions and/or criminal prosecution. The City Attorney provides further assistance by litigating the abatement, securing and/or demolition of substandard properties.

Major Accomplishments for Fiscal Year 2003

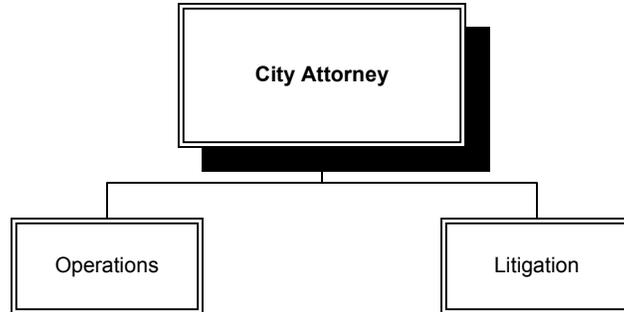
During fiscal year 2003, the City Attorney's Office advised the City Council and staff on a number of important issues affecting the City. Some issues of note include adoption of a Multiple Species Conservation Program (which will preserve a network of habitat and open space), preserving compliance with growth management thresholds, gas and electric franchise agreement negotiations, a design-build agreement to refurbish the Civic Center Complex, resolution of State Route 125 right-of-way matters, Mid-Bayfront development, and construction defect litigation.

Major Goals and Challenges for Fiscal Years 2004 and 2005

The Office will continue to respond to the ever-increasing requests for legal support from the operating departments and to answer the expected expanding litigation case load. Larger projects which are expected to continue or conclude in fiscal year 2004 include SDG&E's franchise negotiations, awarding and adoption of a development disposition agreement for the Mid-Bayfront, updating of the City's General Plan, and assisting in an enhanced code enforcement program.

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ORGANIZATION CHART



CITY ATTORNEY 04000

EXPENDITURES

	FY 2002 ACTUAL	FY 2003 BUDGET	FY 2004 ADOPTED	FY 2005 ADOPTED
Personnel Services	1,213,003	1,377,458	1,583,478	1,692,020
Supplies and Services	347,669	322,002	314,612	314,612
EXPENDITURE TOTALS	\$1,560,672	\$1,699,460	\$1,898,090	\$2,006,632

Expenditures by Division

DIVISION	FY 2002 ACTUAL	FY 2003 BUDGET	FY 2004 ADOPTED	FY 2005 ADOPTED
04100 Administration	971,666	1,077,360	1,190,052	1,256,770
04300 Litigation	589,006	622,100	708,038	749,862
EXPENDITURE TOTALS	\$1,560,672	\$1,699,460	\$1,898,090	\$2,006,632

REVENUES

	FY 2002 ACTUAL	FY 2003 PROJECTED	FY 2004 ESTIMATED	FY 2005 ESTIMATED
Charges for Services	207,875	220,938	269,000	290,520
Other Revenue	516,212	418,935	529,500	535,160
Transfers In	12,213	13,235	14,559	15,723
REVENUE TOTALS	\$736,300	\$653,108	\$813,059	\$841,403

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AUTHORIZED POSITIONS

	FY 1999	FY 2000	FY 2001	FY 2002	FY2003	FY 2004	FY2005
City Attorney	1	1	1	1	1	1	1
Senior Assistant City Attorney	1	1	1	1	1	1	1
Assistant City Attorney	1	1	2	2	2	2	2
Deputy City Attorney I/II	3	3	3	1	1	1	1
Deputy City Attorney III	0	0	0	2	2	2	2
Executive Secretary	0	0	0	1	1	1	1
Legal Assistant	2	2	3	2	2	2	2
Secretary to City Attorney	1	1	1	0	0	0	0
Senior Legal Assistant	0	0	0	1	1	1	1
Total Permanent FTE's	9	9	11	11	11	11	11
Total Hourly FTE's	0	0	0	0	0	0	0
Total FTE's	9	9	11	11	11	11	11

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MISSION STATEMENT • GOALS • OBJECTIVES AND MEASURES

MISSION STATEMENT: Provide legal advice and support to the Mayor and Council, City departments, and boards and commissions in the conduct of City business; represent the City before judicial and administrative agencies in civil litigation proceedings and prosecute misdemeanor violations of the Chula Vista Municipal Code.

GOAL: Prepare ordinances, resolutions, agreements, contracts and other legal instruments.

Objective: *Produce legal documents in a timely and efficient manner.*

Documents Prepared & Reviewed	FY02 ACT.	FY03 EST.	FY04 PROJ.	FY05 PROJ.
Number of resolutions	564	530	560	560
Number of ordinances	56	33	35	35
Number Council approved agreements	195	170	180	180

GOAL: Provide litigation support before judicial and administrative bodies.

Objective: *Provide legal representation for the City as plaintiff or defendant.*

Annual Measure	FY02 ACT.	FY03 EST.	FY04 PROJ.	FY05 PROJ.
Number of litigation cases	51	57	55	55